

**Attachment B**

STATE OF CALIFORNIA

ATTACHMENT B

ION

**CALIFORNIA GAMBLING CONTROL COMMISSION**

Address: 2399 Gateway Oaks Drive, Suite 220 • Sacramento, CA 95833-4231  
Phone: (916) 263-0700 • FAX: (916) 263-0499



DATE: January 29, 2009

TO: Gambling Control Commission

FROM: Richard Ross, Deputy Director  
Compliance Division

SUBJECT: Revenue Sharing Trust Fund Report of Distribution of Funds to Non-Compact Tribes (Eligible Recipient Indian Tribes) for the Quarter Ended December 31, 2008

All eligible Tribes will receive a total of \$275,000.00, which consists of \$117,531.46 from license fees and interest income and \$157,468.54 from shortfall funds that have been transferred into RSTF from SDF as shown in Exhibit 1. The quarterly amount of the shortfall in payments to all eligible recipient Indian Tribes for the quarter totals \$11,180,266.34. A portion of the interest earned is allocated to previously approved distributions held in RSTF on behalf of one (1) Tribe in the amount of \$25,262.91.

The total amount of quarterly license fee payments and interest received into the RSTF for the quarterly period ended December 31, 2008, is approximately \$8.37 million. License fees approximate \$8.23 million and interest of \$144,221.82 was received in October 2008.

The Big Valley Band of Pomo Indians requested on October 13, 2008 to be placed on the list of eligible recipients for the RSTF for the quarter ending September 30, 2008. The Tribe was approved as an eligible recipient non-compact Tribe at the January 8, 2009 Commission meeting. Additionally, the Shingle Springs Band of Miwok Indians became an ineligible recipient Tribe as a result of the operation of class III gaming devices in excess of 349.

A listing of the amount of revenue received from each Compact Tribe is attached as Exhibit 3. The receipts are equally distributed to seventy-one (71)\* of the eighty-six (86) Tribes listed in Exhibit 1 as eligible Non-Compact recipient Tribes (pending receipt of outstanding eligibility certification forms, if any).

At the end of the calendar quarter, the amount of outstanding license fee payments due into the RSTF from five (5) Tribes was \$1,171,425.00. If the total license fee payments due at the end of this quarter had been paid into the RSTF, each recipient Tribe would have received \$16,498.94 in additional RSTF money with this quarter's distribution in lieu of an equal amount of SDF transferred shortfall funds. Total outstanding and due license fee payments for the quarter ended December 31, 2008, are summarized in the following Table 1:

<b>Table 1</b>		
<b>Indian Gaming Revenue Sharing Trust Fund License Fee Payment Aging Schedule as of December 31, 2008</b>		
<b>Quarter(s) in Arrears</b>	<b>Number of Tribes</b>	<b>Amount of License Fees Due</b>
<b>1</b>	<b>5</b>	<b>\$1,171,425.00</b>
<b>Totals</b>	<b>5</b>	<b>\$1,171,425.00</b>

A fund condition statement for the RSTF through December 31, 2008, for the fiscal year 2008-09 is attached as Exhibit 2.

\* Distribution to California Valley Miwok Tribe is withheld pending resolution of tribal leadership dispute

**Exhibit 1****Revenue Sharing Trust Fund Distribution****Total Amount of Distribution for the Quarter Ended December 31, 2008**

	<b>Recipient Indian Tribe</b>	<b>Quarterly Distribution from Revenue Received</b>	<b>Quarterly Shortfall</b>	<b>Total Potential Quarterly Distribution</b>	<b>Distributions Inception to December 31, 2008</b>
1	Alturas Indian Rancheria	\$117,531.46	\$157,468.54	\$275,000.00	\$7,838,385.42
2	Augustine Band <sup>2</sup>	.00	.00	.00	1,238,385.42
3	Bear River Band of the Rohnerville Rancheria	117,531.46	157,468.54	275,000.00	7,838,385.42
4	Benton Paiute Reservation	117,531.46	157,468.54	275,000.00	7,838,385.42
5	Big Lagoon Rancheria	117,531.46	157,468.54	275,000.00	7,838,385.42
6	Big Pine Reservation	117,531.46	157,468.54	275,000.00	7,838,385.42
7	Big Sandy Rancheria	117,531.46	157,468.54	275,000.00	7,838,385.42
8	Big Valley Band of Pomo Indians	117,531.46	157,468.54	275,000.00	550,000.00
9	Bishop Paiute Tribe	117,531.46	157,468.54	275,000.00	7,838,385.42
10	Blue Lake Rancheria <sup>2</sup>	.00	.00	.00	1,788,385.42
11	Bridgeport Paiute Indian Colony	117,531.46	157,468.54	275,000.00	7,838,385.42
12	Buena Vista Rancheria	117,531.46	157,468.54	275,000.00	7,838,385.42
13	Cahto Indian Tribe of Laytonville Rancheria	117,531.46	157,468.54	275,000.00	7,838,385.42
14	Cahuilla Band of Mission Indians	117,531.46	157,468.54	275,000.00	7,838,385.42
15	California Valley Miwok Tribe <sup>1</sup>	117,531.46	157,468.54	275,000.00	7,838,385.42
16	Campo Band of Mission Indians <sup>2</sup>	.00	.00	.00	538,034.21
17	Cedarville Rancheria	117,531.46	157,468.54	275,000.00	7,838,385.42
18	Chemehuevi Indian Tribe	117,531.46	157,468.54	275,000.00	7,838,385.42
19	Cher-Ae Heights Indian Community	117,531.46	157,468.54	275,000.00	7,838,385.42
20	Chicken Ranch Rancheria	117,531.46	157,468.54	275,000.00	7,838,385.42
21	Cloverdale Rancheria	117,531.46	157,468.54	275,000.00	7,838,385.42
22	Cold Springs Rancheria	117,531.46	157,468.54	275,000.00	7,838,385.42
23	Colorado River Indian Tribes	117,531.46	157,468.54	275,000.00	7,838,385.42
24	Cortina Rancheria	117,531.46	157,468.54	275,000.00	7,838,385.42
25	Coyote Valley Band of Pomo Indians	117,531.46	157,468.54	275,000.00	3,850,000.00
26	Death Valley Timbi-Sha Shoshone Tribe	117,531.46	157,468.54	275,000.00	7,838,385.42
27	Dry Creek Rancheria <sup>2</sup>	.00	.00	.00	1,513,385.42
28	Elem Indian Colony	117,531.46	157,468.54	275,000.00	7,838,385.42
29	Elk Valley Rancheria	117,531.46	157,468.54	275,000.00	7,838,385.42
30	Enterprise Rancheria	117,531.46	157,468.54	275,000.00	7,838,385.42
31	Ewiiapaay Band of Kumeyaay Indians	117,531.46	157,468.54	275,000.00	7,838,385.42

**Exhibit 1****Revenue Sharing Trust Fund Distribution****Total Amount of Distribution for the Quarter Ended December 31, 2008**

	<b>Recipient Indian Tribe</b>	<b>Quarterly Distribution from Revenue Received</b>	<b>Quarterly Shortfall</b>	<b>Total Potential Quarterly Distribution</b>	<b>Distributions Inception to December 31, 2008</b>
32	Federated Indians of Graton Rancheria	117,531.46	157,468.54	275,000.00	7,417,594.03
33	Fort Bidwell Indian Community	117,531.46	157,468.54	275,000.00	7,838,385.42
34	Fort Independence Reservation	117,531.46	157,468.54	275,000.00	7,838,385.42
35	Fort Mojave Indian Tribe	117,531.46	157,468.54	275,000.00	7,838,385.42
36	Greenville Rancheria	117,531.46	157,468.54	275,000.00	7,838,385.42
37	Grindstone Rancheria	117,531.46	157,468.54	275,000.00	7,838,385.42
38	Guidiville Rancheria	117,531.46	157,468.54	275,000.00	7,838,385.42
39	Habematolel Pomo of Upper Lake	117,531.46	157,468.54	275,000.00	7,838,385.42
40	Hoopa Valley Tribe	117,531.46	157,468.54	275,000.00	7,838,385.42
41	Hopland Band of Pomo Indians <sup>2</sup>	.00	.00	.00	441,306.53
42	Inaja-Cosmit Mission Indians	117,531.46	157,468.54	275,000.00	7,838,385.42
43	Lone Band of Miwok Indians	117,531.46	157,468.54	275,000.00	7,838,385.42
44	Jamul Indian Village	117,531.46	157,468.54	275,000.00	7,838,385.42
45	Karuk Tribe of California	117,531.46	157,468.54	275,000.00	7,838,385.42
46	La Jolla Band of Mission Indians	117,531.46	157,468.54	275,000.00	7,838,385.42
47	La Posta Band of Mission Indians	117,531.46	157,468.54	275,000.00	7,838,385.42
48	Lone Pine Reservation	117,531.46	157,468.54	275,000.00	7,838,385.42
49	Los Coyotes Band of Cahuilla Indians	117,531.46	157,468.54	275,000.00	7,838,385.42
50	Lower Lake Rancheria	117,531.46	157,468.54	275,000.00	7,417,594.03
51	Lytton Rancheria	117,531.46	157,468.54	275,000.00	7,838,385.42
52	Manchester Point Arena Rancheria	117,531.46	157,468.54	275,000.00	7,838,385.42
53	Manzanita Mission Indians	117,531.46	157,468.54	275,000.00	7,838,385.42
54	Mechoopda Indian Tribe	117,531.46	157,468.54	275,000.00	7,838,385.42
55	Mesa Grande Mission Indians	117,531.46	157,468.54	275,000.00	7,838,385.42
56	Middletown Rancheria <sup>2</sup>	.00	.00	.00	482,578.08
57	Northfork Rancheria	117,531.46	157,468.54	275,000.00	7,838,385.42
58	Pala Band of Mission Indians <sup>2</sup>	.00	.00	.00	482,578.08
59	Paskenta Band of Nomelaki Indians <sup>2</sup>	.00	.00	.00	688,385.42
60	Pauma Band of Mission Indians <sup>2</sup>	.00	.00	.00	482,578.08
61	Picayune Rancheria <sup>2</sup>	.00	.00	.00	1,513,385.42

**Exhibit 1****Revenue Sharing Trust Fund Distribution****Total Amount of Distribution for the Quarter Ended December 31, 2008**

	<b>Recipient Indian Tribe</b>	<b>Quarterly Distribution from Revenue Received</b>	<b>Quarterly Shortfall</b>	<b>Total Potential Quarterly Distribution</b>	<b>Distributions Inception to December 31, 2008</b>
62	Pinoleville Reservation	117,531.46	157,468.54	275,000.00	7,838,385.42
63	Pit River Tribe	117,531.46	157,468.54	275,000.00	7,838,385.42
64	Potter Valley Rancheria	117,531.46	157,468.54	275,000.00	7,838,385.42
65	Quartz Valley Indian Community	117,531.46	157,468.54	275,000.00	7,838,385.42
66	Quechan Tribe of Fort Yuma	117,531.46	157,468.54	275,000.00	7,838,385.42
67	Ramona Mission Indians	117,531.46	157,468.54	275,000.00	7,838,385.42
68	Redwood Valley Rancheria	117,531.46	157,468.54	275,000.00	7,838,385.42
69	Resighini Rancheria	117,531.46	157,468.54	275,000.00	7,838,385.42
70	Rincon Band of Mission Indians <sup>2</sup>	.00	.00	.00	441,306.53
71	Round Valley Indian Tribe	117,531.46	157,468.54	275,000.00	7,838,385.42
72	San Pasqual Mission Indians <sup>2</sup>	.00	.00	.00	482,578.08
73	Santa Rosa Band of Cahuilla Mission Indians	117,531.46	157,468.54	275,000.00	7,838,385.42
74	Santa Ysabel Mission Indians	117,531.46	157,468.54	275,000.00	7,838,385.42
75	Scotts Valley Band of Pomo Indians	117,531.46	157,468.54	275,000.00	7,838,385.42
76	Sherwood Valley Pomo Indians	117,531.46	157,468.54	275,000.00	7,838,385.42
77	Shingle Springs Rancheria <sup>1</sup>	.00	.00	.00	7,563,385.42
78	Smith River Rancheria	117,531.46	157,468.54	275,000.00	7,838,385.42
79	Stewarts Point Rancheria	117,531.46	157,468.54	275,000.00	7,838,385.42
80	Susanville Indian Rancheria	117,531.46	157,468.54	275,000.00	7,838,385.42
81	Table Bluff Reservation	117,531.46	157,468.54	275,000.00	7,838,385.42
82	Torrez-Martinez Mission Indians	117,531.46	157,468.54	275,000.00	7,838,385.42
83	Tuolumne Band of Me-Wuk Indians <sup>2</sup>	.00	.00	.00	482,578.08
84	United Auburn Indian Community <sup>2</sup>	.00	.00	.00	1,513,385.42
85	Washoe Tribe of Nevada & California	117,531.46	157,468.54	275,000.00	7,838,385.42
86	Yurok Tribe of the Yurok Reservation	117,531.46	157,468.54	275,000.00	7,838,385.42
	<b>Total</b>	<b>\$8,344,733.66</b>	<b>\$11,180,266.34</b>	<b>\$19,525,000.00</b>	<b>\$564,059,246.81</b>

<sup>1</sup> Distribution to California Valley Miwok Tribe is withheld pending resolution of tribal leadership dispute.<sup>2</sup> No longer an eligible Non-Compact recipient Tribe, however previously received RSTF distributions.



## EXHIBIT 2

### CALIFORNIA GAMBLING CONTROL COMMISSION 0366 - INDIAN GAMING REVENUE SHARING TRUST FUND FUND CONDITION STATEMENT For the Six Months ended December 31, 2008 Cash Basis

BEGINNING BALANCE	\$ 28,735,200.54
REVENUES AND TRANSFERS	
Revenues:	
150300 Income from surplus money investments	392,153.59
216900 License fees held in trust	18,364,391.62
Transfer from the SDF to the RSTF for shortfall per Item 0855-J11-0367, Budget Act of 2008	39,200,000.00
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Totals, Revenues	\$ 57,956,545.21
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Totals, Resources	\$ 86,691,745.75
EXPENDITURES	
Disbursements:	
Distribution	\$ 38,775,000.00
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Totals, Expenditures	\$ 38,775,000.00
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FUND BALANCE, prior to distribution	\$ 47,916,745.75
Pending distribution	19,250,000.00
Previously approved disbursements held on behalf of the California Valley MiWok Tribe pending resolution of tribal leadership dispute	4,363,001.99
Interest due to Tribe <sup>1</sup>	277,314.18
Assembly Bill No. 673 (Chapter 210, Statutes of 2003) and Government Code Section 12012.90 reserve pending resolution	275,000.00
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FUND BALANCE, after distribution	\$ 23,751,429.58
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Footnotes:

1. Accrued interest on previously held distributions in the amount of \$277,314.18 as of Quarter Ending December 31, 2008 for California Valley Miwok Tribe pending distribution.



**Exhibit 3****Revenue Sharing Trust Fund Distribution****Amount of Revenue from Each Compact Tribe Received by the Commission for the Quarter Ending December 31, 2008**

	Compact Tribe	Revenue Received Fiscal Year to Date	Revenue Received Inception to Date
1	Agua Caliente Band of Cahuilla Indians	\$1,000,000.00	\$6,327,953.20
2	Alturas Indian Rancheria	0.00	375,000.00
3	Augustine Band of Mission Indians	0.00	562,500.00
4	Barona Band of Mission Indians	368,175.00	6,167,687.77
5	Bear River Band of the Rohnerville Rancheria	0.00	0.00
6	Berry Creek Rancheria	32,400.00	677,470.68
7	Big Sandy Rancheria	0.00	0.00 <sup>1</sup>
8	Big Valley Rancheria	0.00	500,000.00
9	Bishop Paiute Tribe	0.00	0.00
10	Blue Lake Rancheria	16,250.00	516,250.00
11	Buena Vista Rancheria	0.00	0.00 <sup>1</sup>
12	Cabazon Band of Mission Indians	633,375.00	8,342,379.55
13	Cahto Indian Tribe of the Laytonville Rancheria	0.00	0.00
14	Cahuilla Band of Mission Indians	0.00	125,000.00
15	Campo Band of Diegueno Mission Indians	0.00	500,000.00
16	Chemehuevi Indian Tribe	0.00	0.00 <sup>1</sup>
17	Cher-Ae Heights Indian Community	0.00	0.00
18	Chicken Ranch Rancheria	0.00	0.00
19	Colusa Rancheria	0.00	403,750.00
20	Dry Creek Rancheria	333,750.00	11,181,996.58
21	Elem Indian Colony	0.00	0.00
22	Elk Valley Rancheria	0.00	62,500.00
23	Ewiiapaayp Band of Kumeyaay Indians	0.00	2,437,433.22
24	Hoopa Valley Tribe	0.00	0.00
25	Hopland Band of Pomo Indians	163,350.00	2,946,316.24
26	Jackson Rancheria	511,500.00	6,552,316.36
27	Jamul Indian Village	0.00	0.00
28	La Jolla Band of Luiseno Indians	0.00	0.00
29	Manchester Point Arena Rancheria	0.00	0.00
30	Manzanita Band of Mission Indians	0.00	0.00
31	Middletown Rancheria	15,000.00	337,500.00
32	Mooretown Rancheria	112,500.00	1,290,113.38
33	Morongo Band of Mission Indians	964,804.14	1,462,104.14
34	Pala Band of Mission Indians	1,000,000.00	21,375,896.37
35	Paskenta Band of Nomlaki Indians	0.00	528,750.00
36	Pauma/Yuima Band of Mission Indians	1,000,000.00	2,556,852.17



**Exhibit 3****Revenue Sharing Trust Fund Distribution**

**Amount of Revenue from Each Compact Tribe Received by the Commission for the Quarter Ending December 31, 2008**

	Compact Tribe	Revenue Received Fiscal Year to Date	Revenue Received Inception to Date
37	Pechanga Band of Luiseno Mission	1,000,000.00	3,506,120.11
38	Picayune Rancheria	1,102,500.00	17,015,219.18
39	Pit River Tribe	0.00	0.00
40	Quechan Indian Nation	0.00	0.00
41	Redding Rancheria	123,750.00	1,000,772.64
42	Resighini Rancheria	0.00	0.00
43	Rincon Band of Mission Indians	445,000.00	11,515,746.58
44	Robinson Rancheria	62,500.00	337,500.00
45	Rumsey Rancheria	1,000,000.00	12,137,524.18
46	San Manuel Band of Mission Indians	999,999.98	8,298,240.41
47	San Pasqual Band of Diegueno Indians	640,200.00	10,422,581.91
48	Santa Rosa Indian Community	1,272,150.00	21,947,201.51
49	<b>Santa Ynez Band of Chumash Indians</b>	<b>328,875.00</b>	<b>11,018,664.04</b>
50	Sherwood Valley Rancheria	0.00	0.00
51	<b>Shingle Springs Rancheria</b>	<b>0.00</b>	<b>1,332,500.00</b>
52	Smith River Rancheria	0.00	0.00
53	Soboba Band of Mission Indians	432,525.00	6,886,405.59
54	Susanville Indian Rancheria	0.00	0.00
55	Sycuan Band of Mission Indians	1,169,925.00	20,183,610.21
56	Table Mountain Rancheria	292,312.50	9,793,670.03
57	Tule River Reservation	513,450.00	6,491,274.04
58	Tuolumne Rancheria	140,850.00	1,458,697.81
59	Twenty-Nine Palms Band of Mission Indians	689,250.00	11,890,978.77
60	United Auburn Indian Community	1,000,000.00	13,950,312.20
61	Viejas Band of Mission Indians	1,000,000.00	10,694,230.34
	<b>Totals</b>	<b>18,364,391.62</b>	<b>255,111,019.21</b>
	Interest	392,153.59	7,953,954.15
	<b>Grand Totals</b>	<b>\$18,756,545.21</b>	<b>\$263,064,973.36</b>

## Footnotes:

1. Prepayment receipts were returned to payor Tribes for the return of unused putative gaming device licenses issued by Sides Accountancy Corporation. Licenses in equal number were issued by the Commission on September 5, 2002 resulting in \$2,137,500 in prepayment fees to the Fund.